



# Form-Based Code (FBC) Review

## Attachment to Administrative Review and Land Use Review Applications

### TABLE OF CONTENTS

<a href="#"><u>How To Use This Attachment</u></a>	1
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<a href="#"><u>Form-Based Code (FBC) Review - Section 1</u></a>	2
FBC Review Summary	2
What Projects Require FBC Review?	2
Off-Site Affordable Housing	2
FBC Review Process	2
<a href="#"><u>Form-Based Code Review - Section 2</u></a>	3
-----	
FBC Review Application Requirements	3
Application Requirements Checklist	3

### HOW TO USE THIS ATTACHMENT

Form-Based Code Review is required within the areas identified in [Appendix L of Title 9, Land Use Code](#). Your application should focus on demonstrating how your proposal complies with all the criteria. Effective use of this attachment will help you avoid costly revisions to your application later. Note: Form-Based Code Review applications will not be accepted if any of the requested items in the checklist(s) are missing.

- ▶ **If you are new to the Form-Based Code Review process:** Please read this attachment in its entirety prior to submitting a Form-Based Code Review application. This attachment has been created to provide general information about the Form-Based Code Review process, point you to the relevant code criteria, and to specify application requirements for the application.
- ▶ **If you are not new to this process:** Feel free to skip forward to the “Form-Based Code Review Application Requirements” section of this attachment for specifics about what is required as a part of a Form-Based Code Review application.
- ▶ **Amendments to Approved Form-Based Code Review** are also reviewed through the Form-Based Code Review process and are subject to the Form-Based Code Review Criteria. Please use this attachment to prepare an application for Form-Based Code Review. If this process is familiar, feel free to skip forward to the “Form-Based Code Review Application Requirements” section of this attachment.
- ▶ **Administrative Form-Based Code Review for Minor Floor Area Expansions** that expand floor area by no more than 500 square feet, are limited to one story, and do not entail changes to existing form-based code review approvals should complete the [Administrative Review \(ADR\) Form](#) instead of the [Land Use Review form](#).

## FORM-BASED CODE (FBC) REVIEW - SECTION 1

### ► FBC REVIEW SUMMARY

The purpose of a Form-Based Code (FBC) review is to improve the character and quality of new development to promote the health, safety and welfare of the public and the users of the development.

The Form-Based Code review regulations are established to create a sense of place in the area being developed or redeveloped and ensure a site and building design that:

1. Is consistent with the purposes and policies of the Boulder Valley Comprehensive Plan and other adopted plans of the community;
2. Creates a fine-grained transportation network that provides safe, convenient and attractive multi-modal connections;
3. Includes transportation connections and outdoor spaces that create attractive, usable amenities around which buildings and site features are organized in a manner that promotes pedestrian activity, a sense of security and community;
4. Is compatible with the existing character of the area or the character established in the city's adopted plans and regulations for the area in terms of height, massing, scale, bulk, orientation, configuration and architecture;
5. Results in aesthetically pleasing buildings in that designs are simple and varied, use durable, high-quality and natural building materials that create a sense of permanence and provide human scale through the use of building elements and design details, such as contrast, form, window and door placement, color, and materials; and
6. Is environmentally sensitive, considers the physical setting and respects and preserves historic, natural and scenic features.

**Parking reductions:** A reduction in the number of required off-street parking spaces. Parking reductions over 25% require Form-Based Code Review approval. Parking reductions over 50% require approval by Planning Board. Some parking reductions, as permitted by [Section 9-9-6\(f\)](#), can be considered by city staff as an Administrative Review (without a Form-Based Code Review).

**Exceptions:** Exceptions from the FBC requirements can be requested as part of the Form-Based Code review process. They must meet the requirements in [Section 9-2-16\(i\)](#).

### ► WHAT PROJECTS REQUIRE FBC REVIEW?

A Pre-Application application must be completed prior to submittal of a Form-Based Code Review per [Section 9-2-16\(c\)](#). Please refer to [9-2-16](#) and the [Pre-Application attachment](#) for more information.

- Development projects that are within areas identified in [Appendix L of Title 9, Land Use Code](#): Must complete an FBC Review according to [Section 9-2-16](#), "Form-Based Code Review"; and
- Must meet the detailed requirements of [Appendix M, Form-Based Code](#).

### ► OFF-SITE AFFORDABLE HOUSING

When a developer proposes to provide the affordable units and the development (sending site) is required to successfully complete Form-Based Code Review, the associated off- site development (receiving site) must also successfully complete Form-Based Code Review.

However, receiving site developments with fewer than five affordable units do not need to undergo Form-Based Code Review. See [Section 9-13](#), Inclusionary Housing.

## ► FBC REVIEW PROCESS

Applications for FBC Reviews are received by the Planning & Development Services Center and are reviewed through the Land Use Review process, including public notification.

The initial review of the application takes approximately three weeks from the start of the review track. Application form(s), required application materials and fees are due by 10 a.m. on specified Mondays. Please visit [www.boulderplandev.net](http://www.boulderplandev.net) for the review track schedule and office hours.

If your application requires subsequent revisions, each additional staff review of the revisions will also take about three weeks from the start of the review track.

FBC Review projects must be found to meet the detailed regulations within [Appendix M, Form- Based Code](#) (FBC). Exceptions to any regulation within the FBC may be requested, but may only be approved if the exception criteria of [Section 9-2-16\(i\)](#), B.R.C. 1981 are met. Each exception must be called out and responses to each provided.

It is recommended that the number of exceptions, if applicable, be minimized. Decisions on FBC Review are made by Planning staff but may be appealed by any citizen or called up by Planning Board if a person disagrees that the project meets the FBC or if any exception criteria are not met. If called up or appealed, the project would require a public hearing before the Planning Board.

## FORM-BASED CODE REVIEW - SECTION 2

### ► FBC REVIEW APPLICATION REQUIREMENTS

Applications **must** include:

- **One electronic copy** of each required application material. Files must be saved using the file name indicated in the [Online Development Review Application Guide](#).
- **Signed copy** of the [Application Requirements Checklist](#).

Please refer to the **Development Review Calendar**, found on the [City of Boulder website](#), for review track start dates. Applications must be submitted by 10 a.m. on review track days to be included in the next review track.

The application fee is required at the time of application. **Applications will not be routed until all fees have been paid.**

### ► APPLICATION REQUIREMENTS CHECKLIST

This checklist is intended to assist the applicant in collecting the required materials and to assist staff in determining that the application requirements are met. Complete the checklist below, marking the items that are included in your application submittal. Sign the last page and include this checklist in your application packet.

- A **completed** [Land Use Review Application Form](#), including signatures of, or the written consent of, the owners of all properties to be included in the development.
- The **application fee**, as stated on the Land Use Review Application Form.
- A completed [Sign Posting Acknowledgment form](#).
- A completed [Vested Property Rights Option form](#).
- A completed [Project Fact Sheet](#).

- An **improvement survey** or improvement location certificate by a registered surveyor of the subject property.
- The subject property's **legal description**.
- A **vicinity map** (8 ½" x 11") indicating the site and names of adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'
- A **written statement** including the following information:
  - A statement of the current ownership;
  - An explanation of the objectives to be achieved by the project, including without limitation building descriptions, sketches, or elevations that may be required to describe the objectives;
  - A development schedule indicating the approximate date when construction of the project or phases of the project can be expected to begin and be completed; and
  - Copies of any special agreements, conveyances, restrictions, or covenants that will govern the use, maintenance, and continued protection of the goals of the project and any related parks, recreation areas, playgrounds, out lots, or open space.
- A complete **site development plan(s)** prepared at a standard engineering scale sufficient to clearly show the details of the drawing (such as 1"= 50'); showing elements of the development, including without limitation:
  - The existing topographic character of the land, showing contours at two-foot intervals;
  - The site and location of proposed uses with dimensions indicating the distance from lot lines;
  - The location and size of all existing and proposed buildings, structures and improvements, and the general location of adjacent streets, structures and properties;
  - The density and type of uses;
  - The internal traffic and circulation systems, off-street parking areas, service areas, loading areas and major points of access to public rights-of-way;
  - The location, height and size of proposed signs, lighting, and advertising devices;
  - The areas that are to be conveyed, dedicated, or reserved as parks, recreation areas, playgrounds, out lots, or open space and as sites for schools and other public buildings;
  - The areas that are to be conveyed, dedicated, or reserved for streets, alley and utility easements;
  - The areas subject to the one-hundred year flood as defined in [Chapter 9-3-3](#), "Regulations Governing the Floodplain," B.R.C. 1981, and any area of the site that is within a designated space conveyance zone or high-hazard zone;
  - A general landscaping plan at the time of initial submission to be followed by a detailed landscaping plan prior to or as a condition of approval showing the spacing, sizes, specific types of landscaping materials, quantities of all plants and whether the plant is coniferous or deciduous. All trees with a diameter of six (6) inches and over measured fifty-four (54) inches above the ground on the property or in the landscape

setback of any property adjacent to the development shall be shown on the landscaping plan;

- A north arrow and scale of drawing clearly indicated on each sheet;
- A tree inventory that includes the location, size, species and general health of all trees with a diameter of six (6) inches and over measured fifty-four (54) inches above the ground on the property or in the landscape setback of any property adjacent to the development. The inventory shall indicate which trees will be adversely affected and what if any steps will be taken to mitigate the impact on the trees. The tree inventory shall be prepared by a certified arborist that has a valid contractor license pursuant to [Chapter 4-28](#), "Tree Contractor License," B.R.C.

□ **Architectural floor plans and elevations** of the existing structure(s) and any proposed additions or renovations, drawn at a standard architectural scale sufficient to show the details of the drawing, including the maximum height of all buildings measured per the requirements of [Section 9-7-5](#), B.R.C. 1981, and building elevations showing exterior colors and materials and any anticipated roof top appurtenances. If new residential units are proposed label each unit with a address and total floor area per the [9-16](#) definition of "Floor Area." Please see Inclusionary Housing requirements below for additional information.

□ **Drawings/ diagrams** illustrating clear compliance with the Form-Based Code requirements. These must clearly show calculations for required FBC elements. For example, transparency, roof cap types, exterior materials, building massing, etc. Please see [Section 9-2-16\(d\)](#), B.R.C. 1981 for a complete list of application requirements. The following are examples of necessary diagrams showing compliance with the FBC:



Figure 1: Example of fenestration pattern per floor, and percentage and type of materials

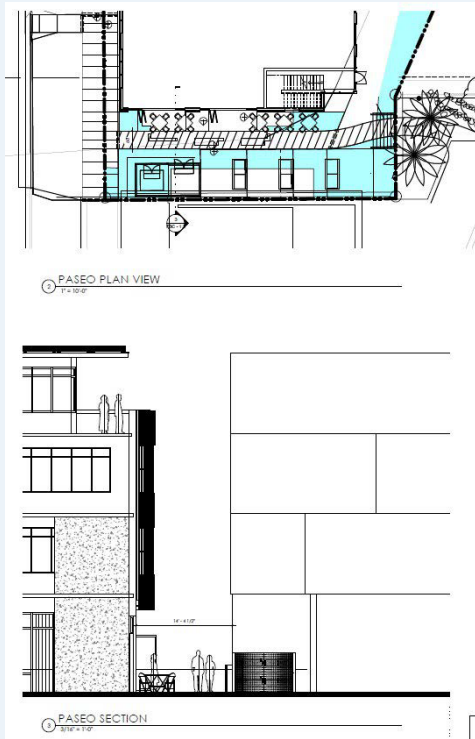


Figure 2: Example of a paseo diagram and section

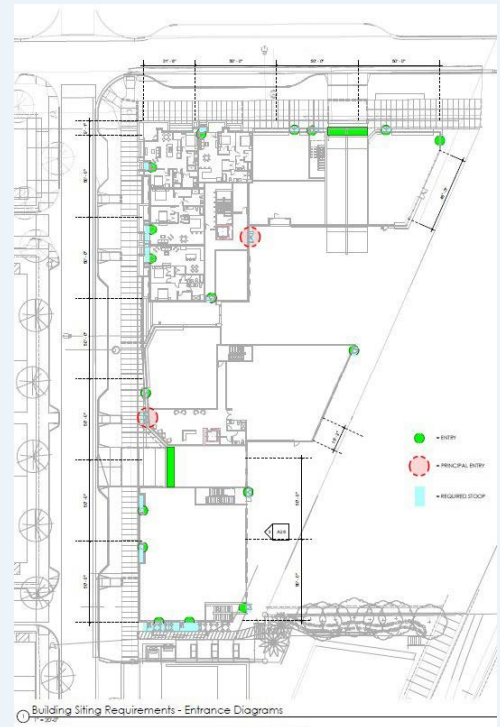


Figure 3: Example of an entry diagram

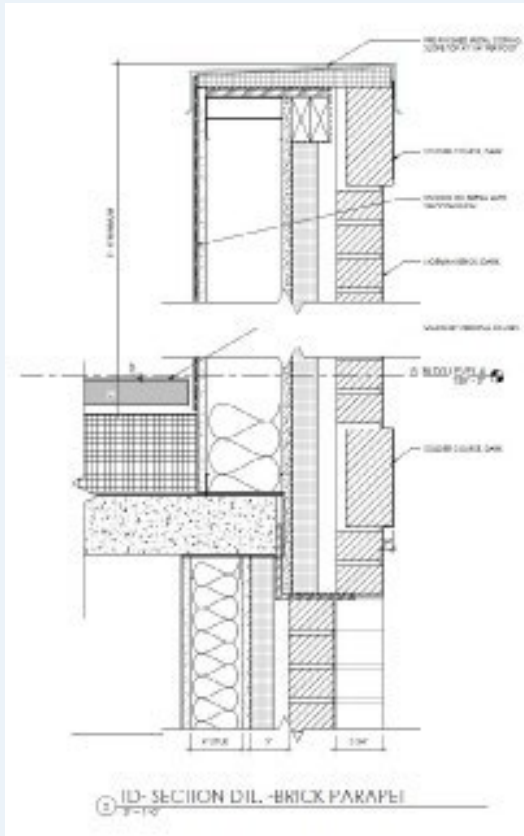


Figure 4: Example of dimensional characteristics of the façade materials, window section including the lintel and window recessing as well as expression line and cap details.

- A **utility plan or utility connection plan**, depending on whether public improvements are required. See [City of Boulder Design and Construction Standards](#) for specific requirements.
- A **preliminary stormwater plan**, drawn at a standard engineering scale, and a **preliminary stormwater report**, depending on whether public improvements are required. See [City of Boulder Design and Construction Standards](#) for specific requirements.
- The **travel demand management (TDM)** plan which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes of travel, in accordance with [Section 9-2-14\(D\)](#) of the Land Use Code and Section 2.03(l) of the [City of Boulder Design and Construction Standards](#).
- A **shadow analysis** depicting shadows on December 21 for each structure in the project, and depicting shadows calculated pursuant to [Section 9-9-17](#), “Solar Access Protection,” for those buildings that affect adjacent properties.
- A **current title insurance commitment** or attorney memorandum based on an abstract of title, current to within 30 days.
- Proof of a notification sent to each Mineral Estate Owner. See [Sections 9-4-3 or 9-4-3\(e\)](#) for requirements or written certification that the applicant performed a Mineral Estate search and found no owners.
- Developments that include housing units must submit a [Preliminary Determination of Inclusionary Housing Form](#) and [Unit Data Spreadsheet](#) and must meet the inclusionary housing requirements of [Chapter 9-13](#), B.R.C. 1981. Review requirements at <https://bouldercolorado.gov/services/inclusionary-housing>.
- Any other information that the applicant wishes to submit.

► **COMBINED FORM-BASED CODE REVIEW AND SUBDIVISION APPLICATIONS**

An approved Form-Based Code review may include subdivision under [Chapter 9-12, “Subdivisions.”](#) The approved site plan may substitute for a preliminary plat if it meets the conditions of [Section 9-12-6, “Application for and Approval of Preliminary Plat.”](#)

If an applicant for a Form-Based Code review intends to subdivide a project and combine subdivision and Form-Based code review applications, then the applicant should refer to the [Attachment for Preliminary Plat for Subdivision](#) including preliminary plat requirements. The Form-Based Code review and preliminary plat requirements may be met on the same site plan document(s). A preliminary plat application must be submitted at the same time as the Form-Based Code review.

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**Signature of person who filled out checklist**

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**Print name**

## FORM-BASED CODE COLLATION TABLE | ELECTRONIC APPLICATION REQUIREMENTS PACKETS

**\*REQUIRED FILE NAME FORMAT: File Prefix\_Project Address\_Date Uploaded**

Doc. Key	Document Description- See Requirements Checklist for details on each item	Case Manager	Utilities Engineer	Transpo. Engineer	City Attorney's Office	Housing Planner	Required Electronic Document Names
1	<a href="#">LUR Application</a>	X					LURApp
2	<a href="#">Sign Posting Acknowledgment form</a>	X					SignPost
3	<a href="#">Vested Property Rights Option form</a>	X					VestPropRtsForm
4	<a href="#">Project Fact Sheet</a>	X	X	X	X		FactSht
5	Improvement survey	X	X	X	X		Survey
6	Legal description	X					LeglDescProp
7	Vicinity map	X	X	X	X		VMap
8	Written statement	X	X	X	X		WrtnStmnt
9	Site development plans	X	X	X	X		SitePlns
10	Architectural floor plans and elevations	X	X	X	X		ArchPlns
11	Drawings/ Diagrams demonstrating compliance with FBC requirements	X	X	X	X		CompDwgs
12	Utility connection plan	X	X	X	X		UtilPlans
13	Preliminary stormwater plan and preliminary stormwater report		X				StrmPlns PrelimStrmRpt
14	Travel demand management (TDM) plan			X			TDMPIn
15	Shadow Analysis	X					SolarAnalysis
16	Current title insurance commitment	X			X		TitleIns
17	Notification sent to each Mineral Estate Owner	X					MnrIOwnrNotif
18	<a href="#">Preliminary Determination of Inclusionary Zoning Compliance form</a>					X	PrImInclHsngFrm